

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2904 OF 2019

Amulya Prakash Agrawal ...Petitioner

Versus

The State of Maharashtra ...Respondents

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Mr. Abhishek Yenede, for petitioner.

Mrs. Rutuja Ambekar, APP for State.

CORAM : S. S. Shinde J.

DATED : 18th June, 2019

P.C.

1. Learned counsel appearing for petitioner submits that, the name of the petitioner is not mentioned in the FIR. It is submitted that he is working in the capacity of Deputy General Manager. Learned counsel invites attention of this Court to the allegations in the report prepared by Police and submit that even if the said allegations are read in its entirety, no offence is disclosed against the petitioner. The petitioner is already enlarged on bail, therefore, relying upon the pleadings and grounds taken in the

petition, learned counsel appearing for the petitioner submits that petition deserves to be allowed.

2. Upon hearing learned counsel appearing for petitioner and upon perusal of the reasons assigned by the Sessions Judge, Pune and particularly allegations made against the petitioner that the present accused while working as Deputy General Manager in the company has falsely shown that some of the workers were not working in the company, were admitted for treatment in the hospitals, for that purpose he prepared false documents, forged signatures of Dr. Ashwin Porwal, Dr. Sangita Chavan, so also employees Vinod Dalvi, Patil and forwarded the said forged documents to Bajaj Allianz Insurance Company. For that purpose he filled the medical claim forms, certified and signed it with the seal of the company. The insurance company believing on certification made by the accused, approved the claims and the amount was credited in the account at Kolhapur. In this way, according to prosecution, the accused along with co-accused committed the offence punishable under sections 406, 408, 420, 465, 467, 468, 469, 471, 477-A, 120B of the Indian Penal Code, 1860, and also observations made in Para 17 and 18 of the impugned judgment, involvement of the petitioner in alleged offences is clearly made out. In that

view of the matter, *prima facie* case is made out against the petitioner, hence petition sans merit, and accordingly same stands rejected.

3. Observations made herein above are *prima facie* in nature and confined to the adjudication of present petition only.

[S.S. SHINDE, J.]